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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 HUNTS POINT VENTURES INC,

11 Plaintiff,

12 v.

13 JOHN DAVID DU WORS, et al.,

14 Defendants.

CASE NO. C15-979 MJP

ORDER CALLING FOR
ADDITIONAL BRIEFING

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16 THIS MATTER comes before the Court on Plaintiff's Motion to Remand to State Court.
17 (Dkt. No. 19.) Having reviewed the Parties' briefing and the related record, the Court calls for
18 additional briefing from all Parties on the following issues:

19 (1) Is U.S. Patent No. 7,574,272 currently valid, or has it been invalidated by the U.S.
20 Patent and Trademark Office, or through some other action? What actions have been taken by
21 the Patent Office with regards to the patent's validity, and what is the legal effect of those actions
22 on the patent's validity?
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1 (2) Under what legal theory does Defendant Whitaker assert a freestanding counterclaim
2 of patent invalidity (not as part of an affirmative defense to malpractice liability) against Plaintiff
3 Hunts Point Ventures, an entity that does not currently own the patent?

4 Briefs of no more than **ten (10) pages** should be submitted simultaneously by all Parties
5 no later than **ten (10) days** from the date of this order. The clerk is ORDERED to renote
6 Plaintiff's Motion to Remand (Dkt. No. 19) and Defendants' Motion to Dismiss (Dkt. No. 10)
7 for September 11th, 2015, to be considered alongside the additional briefing, and to provide
8 copies of this order to all counsel.

9 Dated this 28th day of August, 2015.

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13 Marsha J. Pechman
14 Chief United States District Judge
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